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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,891	02/24/2004	Sylvain P. Rebaud	21685-08851	3530

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EXAMINER

MEKY, MOUSTAFA M

ART UNIT	PAPER NUMBER
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2457

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/786,891	Applicant(s) REBAUD ET AL.	
	Examiner Moustafa M. Meky	Art Unit 2457	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

. The amendment filed 12/24/20009 has been entered and considered by the examiner.

2. Claims 1-37 are presenting for examination.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Laughlen (US Patent No. 7,089,246)

5. As to claims 1 & 28, O'Laughlen shows in Fig 1, a method for providing conditional access to media content, the method comprising:

- * receiving a request for the media content by a remote media rendering device 120, the request received from a middleman server 130 connected to the media rendering device 120 on a local network, see col 3, lines 30-37, lines 59-62;
- * receiving a device ID (network address) associated with the remote media rendering device, see col 4, lines 19-22;
- * verifying based on the received device ID whether the remote media rendering device 120 is approved to receive the requested media content, see col 3,

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lines 59-63; and

* granting the request if the remote media rendering device is approved to receive the requested media content, see col 3, lines 59-63.

6. As to claim 2, the device ID uniquely identifies the remote media rendering device 120 that made the request, see col 4, lines 19-22.

7. As to claim 3, the device ID uniquely identifies the type of remote media rendering device that made the request, see col 2, lines 59-67, col 3, lines 1-3.

8. As to claim 4, the device ID includes a MAC address (network address), see col 4, lines 19-22.

9. As to claim 5, granting the request comprises sending the requested media content to the middleman server 130 for delivery to the remote media rendering device 120, see col 3, lines 59-63.

10. As to claim 6, wherein granting the request further comprises establishing a secure communications channel with the middleman server 130 before sending the requested media content to the middleman server 130, see col 4, lines 46-50 .

11. As to claim 7, wherein granting the request comprises establishing a session with the middleman server 130 for sending the requested media content to the middleman server for delivery to the remote media rendering device 120, see col 3, lines 30-35.

12. As to claim 8, wherein a number of concurrent sessions is limited to a predetermined maximum, see col 2, lines 61-62.

13. As to claims 9-11, O'Laughlen teaches obtaining a rating associated with the

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requested media content; accessing an approved rating range for the media rendering device; and

denying the request if the requested media content has a rating outside the approved rating range,

wherein the requested media content is an audio file and the approved rating range specifies that no parental advisory content should be delivered to the media rendering device. and

receiving an input from a user to modify the approved rating range for the media rendering device, see col 4, lines 57-67, col 5, lines 1-33, col 7, lines 38-43, col 10, lines 57-63

14. As to claim 12, wherein the request is received from and the media content is transmitted to the middleman server over the Internet 110.

15. As to claims 13-27, 29-37, the claims are similar in scope to claims 1-12 & 28, and they are rejected under the same rationale.

Therefore, it can be seen from paragraphs 5-15 that O'Laughlen anticipates claim 1-37.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M. Meky whose telephone number is 571-272-4005. The examiner can normally be reached on flex.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Moustafa M Meky/
Primary Examiner, Art Unit 2457

4/25/2010